

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA, ) No. CR-08-137-WFN-31  
 )  
Plaintiff, ) ORDER GRANTING MOTION,  
 ) SETTING CONDITIONS  
v. ) OF RELEASE, AND SETTING  
 ) STATUS HEARING  
GEORGE ALBERT FLAHERTY, )  
 )  
Defendant. ) ☒ Motion Granted  
 ) (Ct. Rec. 944)  
 )  
 ) ☒ Status Hearing:  
 ) March 9, 2009, 1:30 p.m.  
 )  
 ) ☒ Action Required

Date of Motion hearing: February 5, 2009.

**IT IS ORDERED** that the release of the Defendant is subject to the following:

**STANDARD CONDITIONS OF RELEASE**

(1) Defendant shall not commit any offense in violation of federal, state or local law. Defendant shall advise the supervising Pretrial Services Officer and defense counsel within one business day of any charge, arrest, or contact with law enforcement.

(2) Defendant shall immediately advise the court, defense counsel and the U.S. Attorney in writing before any change in address and telephone number.

(3) Defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed.

(4) Defendant shall sign and complete A.O. 199C before being

ORDER GRANTING MOTION, SETTING CONDITIONS  
OF RELEASE, AND SETTING STATUS HEARING - 1

1 released and shall reside at the address furnished.

2 (5) Defendant shall not possess a firearm, destructive device or  
3 other dangerous weapon.

4 (6) Defendant shall report to the United States Probation Office  
5 before or immediately after release and shall report as often as  
6 they direct, at such times and in such manner as they direct.  
7 Defendant shall contact defense counsel at least once a week.

8 (7) Defendant is further advised, pursuant to 18 U.S.C. § 922(n),  
9 it is unlawful for any person who is under indictment for a crime  
10 punishable by imprisonment for a term exceeding one year, to  
11 possess, ship or transport in interstate or foreign commerce any  
12 firearm or ammunition or receive any firearm or ammunition which has  
13 been shipped or transported in interstate or foreign commerce.

#### 14 BOND

15 (8) Defendant shall:

16 ☐ Execute an unsecured appearance bond in the amount of  
17 \_\_\_\_\_ dollars  
18 (\$\_\_\_\_\_) in the event of a failure to appear as required or  
19 to surrender as directed for service of any sentence imposed.

20 ☐ Execute an unsecured appearance bond, to be co-signed by  
21 \_\_\_\_\_, in the amount of  
22 \_\_\_\_\_ dollars  
23 (\$\_\_\_\_\_) in the event of a failure to appear as required or  
24 to surrender as directed for service of any sentence imposed.

25 ☐ Execute: ☐ \$\_\_\_\_\_ corporate surety bond  
26 ☐ \$\_\_\_\_\_ property bond  
27 ☐ \$\_\_\_\_\_ cash bond  
28 ☐ \$\_\_\_\_\_ percentage bond, with  
\$\_\_\_\_\_ paid in cash

#### 29 ADDITIONAL CONDITIONS OF RELEASE

30 Upon finding that release by one of the above methods will not by  
31 itself reasonably assure the appearance of the Defendant and the  
32 safety of other persons and the community,

33 **IT IS FURTHER ORDERED** that the release of the Defendant is subject  
34 to the following additional conditions:

☐ (9) The Defendant is placed with:

\_\_\_\_\_  
Name of person or organization

\_\_\_\_\_  
Address

\_\_\_\_\_  
City and State

\_\_\_\_\_  
Tele. Number

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

who agrees to sign a copy of this Order, **to be kept in Pretrial Services' file**; supervise the Defendant consistent with all the conditions of release; use every effort to assure the appearance of the Defendant at all scheduled court proceedings; and notify the court immediately in the event the Defendant violates any conditions of release or disappears.

☐ (10) Maintain or actively seek lawful employment.

☐ (11) Maintain or commence an education program.

☐ (12) Surrender any passport to Pretrial Services and does not apply for a new passport.

☒ (13) Defendant shall remain in the:

☒ Eastern District of Washington or ☐ State of Washington while the case is pending. On a showing of necessity, Defendant may obtain prior written permission to leave this area from the United States Probation Office.

☐ Exceptions:

☒ (14) Avoid all contact, direct or indirect, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to Co-Defendants. **Defendant shall have no contact with Taryn Collum**

1 except in the presence of Ms. Knight and then only for the purposes  
2 of making arrangements as to the children.

3 ☒ (15) Avoid all contact, direct or indirect, with known felons.

4 ☒ (16) Undergo medical or psychiatric treatment and/or remain in an  
5 institution as follows: **Defendant shall have a psychological**  
6 **evaluation as directed by Pretrial Services.**

7 ☒ (17) Refrain from: ☒ any ☐ excessive use of alcohol

8 ☒ (18) There shall be no alcohol in the home where Defendant  
9 resides.

10 ☒ (19) There shall be no firearms in the home where Defendant  
11 resides.

12 ☒ (20) Refrain from use or unlawful possession of a narcotic drug  
13 or other controlled substances defined in 21 U.S.C. § 802, unless  
14 prescribed by a licensed medical practitioner.

15 ☐ (21) Except for employment purposes, Defendant shall not have  
16 access to the internet.

17 ☐ (22) Defendant may not be in the presence of minors, unless a  
18 responsible adult is present at all times.

19 **SUBSTANCE ABUSE EVALUATION AND TREATMENT**

20 If Defendant is required to submit to a substance abuse  
21 evaluation, inpatient or outpatient treatment, the following shall  
22 apply:

22 Defendant shall complete treatment indicated by an evaluation or  
23 recommended by Pretrial Services and shall comply with all rules of  
24 a treatment program. Defendant shall be responsible for the cost of  
25 testing, evaluation and treatment, unless the United States  
26 Probation Office should determine otherwise. The United States  
27 Probation Office shall also determine the time and place of testing  
28 and evaluation and the scope of treatment. If Defendant fails in  
any way to comply or cooperate with the requirements and rules of a  
treatment program, Pretrial Services shall notify the court and the  
U.S. Marshal, who will be directed to immediately arrest the  
Defendant.

Defendant shall participate in one or more of the following

1 treatment programs:

2 ☐ (23) **Substance Abuse Evaluation:** Defendant shall undergo a  
3 substance abuse evaluation:

4 ☐ if directed by a U.S. Probation Officer.

5 ☐ as directed by a U.S. Probation Officer.

6 ☐ Prior to release, Defendant must have an appointment for a  
7 substance abuse evaluation, and the appointment must be  
8 confirmed to the court by Pretrial Services. Defendant will  
9 be released:

10 ☐ one day prior to, or ☐ on the morning of his appointment.

11 ☐ (24) **Inpatient Treatment:** Defendant shall participate in an  
12 intensive inpatient treatment program.

13 ☐ Prior to release, an available bed and date of entry must be  
14 confirmed by Pretrial Services.

15 ☐ Defendant will be released to an agent of the inpatient  
16 program on \_\_\_\_\_.

17 ☐ Prior to release from inpatient treatment, an outpatient  
18 treatment program must be presented to the court. If  
19 Defendant does not have a structured outpatient treatment  
20 program in place prior to conclusion of her inpatient  
21 treatment, Defendant automatically will go back into the  
22 custody of the U.S. Marshal.

23 ☐ Following inpatient treatment, Defendant shall participate in  
24 an aftercare program.

25 ☒ (25) **Outpatient Treatment:** Defendant shall participate in  
26 intensive outpatient treatment.

27 ☒ Prior to release, an appointment for Defendant's first  
28 counseling session must be made and confirmed by Pretrial

Services.

☒ Defendant will be released on the morning of his appointment February 12, 2009, at 8:00 a.m.

☐ (26) Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☒ (27) Prohibited Substance Testing: If random urinalysis testing is not done through a treatment program, random urinalysis testing shall be conducted through Pretrial Services, and shall not exceed six (6) times per month. Defendant shall submit to any method of testing required by the Pretrial Service Office for determining whether the Defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. Defendant shall refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of prohibited substance testing. Full mutual releases shall be executed to permit communication between the court, Pretrial Services, and the treatment vendor. Treatment shall not interfere with Defendant's court appearances.

**HOME CONFINEMENT/ELECTRONIC/GPS MONITORING**

☒ (28) Defendant shall participate in one or more of the following home confinement program(s):

☒ **Electronic Monitoring.** The Defendant shall participate in a program of electronically monitored home confinement. The Defendant shall wear, at all times, an electronic monitoring

1 device under the supervision of U.S. Probation. In the event the  
2 Defendant does not respond to electronic monitoring or cannot be  
3 found, the U.S. Probation Office shall forthwith notify the  
4 United States Marshals' Service, who shall immediately find,  
5 arrest and detain the Defendant. The Defendant shall pay all or  
6 part of the cost of the program based upon ability to pay as  
7 determined by the U.S. Probation Office.

8 ☐ **GPS Monitoring.** The Defendant shall participate in a program  
9 of GPS confinement. The Defendant shall wear, at all times, a  
10 GPS device under the supervision of U.S. Probation. In the event  
11 the Defendant does not respond to GPS monitoring or cannot be  
12 found, the U.S. Probation Office shall forthwith notify the  
13 United States Marshals' Service, who shall immediately find,  
14 arrest and detain the Defendant. The Defendant shall pay all or  
15 part of the cost of the program based up ability to pay as  
16 determined by the U.S. Probation Office.

17 ☐ **Curfew.** Defendant shall be restricted to his/her residence:

18 ☐ every day from \_\_\_\_\_ to \_\_\_\_\_

19 ☐ as directed by the Pretrial Services Office

20 ☒ **Home detention.** Defendant shall be restricted to his/her  
21 residence at all times except for religious services; medical,  
22 substance abuse, or mental health treatment; attorney visits;  
23 court appearances; case-related matters; court-ordered  
24 obligations; or other activities as pre-approved by the Pretrial  
25 Services Office or supervising officer.

26 ☐ Maintain residence at a halfway house or community corrections  
27 center, as deemed necessary by the Pretrial Services Office or  
28 supervising officer.

1 ☒ Defendant shall appear for a status conference on **March 9, 2009,**  
2 **at 1:30 p.m.**

3 DATED February 6, 2009.

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5   
6 CYNTHIA IMBROGNO  
7 UNITED STATES MAGISTRATE JUDGE  
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